

## REMARKS

The application has been reviewed in light of the Final Office Action mailed December 14, 2004. Claims 17-27 and 29-36 were pending at the time of the office action. Claims 1-16 and 28 were previously cancelled by Applicant without prejudice or disclaimer. Claims 17-27 and 29-36 were rejected. Applicant has amended Claims 17-27 and 29-36. Applicant respectfully requests reconsideration and favorable action in this case.

### Objections under 37 CFR 1.83(a)

Examiner has objected to the drawings for not showing the "cooling flange" of the invention specified in Claim 19 under 37 CFR 1.83(a). Applicant has cancelled Claim 19. Thus, the drawings are in compliance with 37 CFR 1.83(a).

### Rejections under 35 U.S.C. §112

Claims 19 and 30-36 were rejected by the Examiner under 35 U.S.C. §112, second paragraph, as being indefinite and failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant has cancelled Claim 19 and amended Claim 30 to overcome these rejections. Withdrawal of the rejection is respectfully requested.

### Rejections under 35 U.S.C. §103

Claims 17, 18, 20, 25-27, 29-32 and 34-36 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,254,750 issued to Patrick et al. ("Patrick et al.") in view of U.S. Patent 5,869,744 issued to Norio Suzuki et al. ("Suzuki et al.") and U.S. Patent 4,668,873 issued to Masahiro Ohba et al. ("Ohba et al."). Applicant respectfully traverses and submits the cited art combination, even if proper, which Applicant does not concede, does not render the claimed embodiment of the invention *prima facie* obvious.

Indeed, in order to establish a *prima facie* case of obviousness, the references cited by the Examiner must disclose all claimed limitations. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). Furthermore, according to § 2143 of the Manual of Patent Examining

Procedure, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991).

Here, the combination of the cited art does not yield all of the limitations of the claimed embodiment of the invention. The present invention is directed to, *inter alia*, a nitrogen oxide sensing system including a "plug interface" having an "evaluating unit" integrated within a housing of the plug interface. The Examiner cites Patrick et al. for disclosing a "connector having a memory device (evaluating unit) is built into the sensor." (Col. 11, lines 37-41). Applicant respectfully disagrees that Patrick et al.'s "memory device" is an "evaluating unit" as claimed. For example, in Col. 11, lines 37-41, Patrick et al. state:

Fig. 8 illustrates an alternate embodiment where the memory device 90 is built into the sensor 92. In this embodiment, the memory device 90 and sensor 92 have a single connector 98 which attaches to the analyzer 94 via connector 99.

As can be gleaned from the above, "memory device 90" and "analyzer 94" are two different components. Thus, Applicants disagree with the fact the Examiner equates Patrick et al.'s "memory device 90" with an "evaluating unit." More importantly, Patrick et al. clearly do not teach a "plug connector" having a "memory device," an evaluating unit," or an "analyzer 94" for that manner, integrated in a single connector housing. In fact, nothing is integrated into the housing of Patrick et al.'s connectors 98 and 99. (See Figure 8.) Thus, Applicant requests withdrawal of the 35 U.S.C. §103 rejection foremostly based on Patrick et al.

In addition, and for the same reason stated above, Suzuki et al. is inapposite. Suzuki et al. fail to teach or suggest a "plug connector" having integrated in its housing an "evaluating unit." Indeed, Suzuki et al. do not even mention a structure of a "plug connector" or include a figure with a "plug connector." In fact, Suzuki et al. do not even mention a "plug connector" in the specification. Thus, Applicant, for this additional reason, requests

withdrawal of the 35 U.S.C. §103 rejection based upon the teachings of Patrick et al. and Suzuki et al.

The citation and relevance of Ohba et al. and Nakajima et al. is unclear to the Applicant. Consequently, no comment is made concerning Ohba et al. and Nakajima et al. except to note that the §103 rejection is based on the combined teachings of Patrick et al. and Suzuki et al. with Ohba et al. or Nakajima et al. and since the cited teachings of Patrick et al. and Suzuki et al. are inapposite, the combination of Ohba et al. or Nakajima et al. with Patrick/Suzuki et al. are equally inapposite. Applicant requests withdrawal of the §103 rejection and favorable action. It is respectfully submitted all claims are in condition for allowance.

**Allowable Subject Matter**

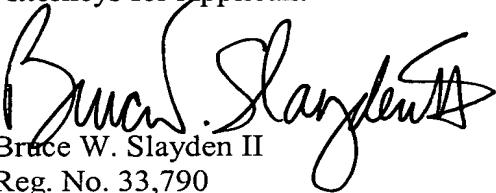
Applicant appreciates Examiner's consideration and indication that Claims 19 and 33 would be allowable if rewritten to overcome the rejections under 35 U.S.C. §112, second paragraph, as set forth in the Office Action and to include all of the limitations of the base claim and any intervening claims. Applicant submits new Claims 37 (old Claims 19/17) and 38 (old Claims 33 and 30) and respectfully requests withdrawal of all rejections and allowance of Claims 37 and 38. Note, the objected to claim language of Claims 19 and 30 is not included in new Claims 37 and 38, respectively.

### CONCLUSION

Applicant has made an earnest attempt to place this case in condition for allowance. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests reconsideration and full allowance of the claims as amended.

Enclosed is a check in the amount of \$250.00 for one additional independent claim and one additional overall claim over the number of claims previously paid for. Applicant believes no other fees are due for this response, however, if any fees are due, the Commissioner is hereby authorized to charge any necessary fees to Deposit Account No. 50-2148 of Baker Botts L.L.P.

Respectfully submitted,  
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